

Exhibit C

785:35-7-3. Variances to minimum standards for construction of wells

- (a) Variances from any of the minimum standards for construction of wells set forth in this subchapter may be granted by the Board when it is demonstrated that the construction proposed will protect the quantity and quality of the groundwater from contamination and waste. Requests for variances must be completed on forms provided by the Board and submitted prior to beginning any work related to the variance, unless otherwise approved by the Executive Director of the Board as provided in this section.
- (b) Requests for variances shall be accompanied by any plans, specifications or other information detailing the type of variance requested and reasons for the variance request.
- (c) Requests for variances must be signed by the licensed well driller, contain a notarized signature from the landowner of the land where the work is being done, and contain a certification signed by a licensed professional engineer that activities allowed by such variance will not cause pollution.
- (d) Staff shall review the plans, specifications and data for purposes of determining the potential impacts on the groundwater and, if deemed advisable, may consult with all person requesting the variance, landowner and licensed professional engineer or hydrogeologist. Staff shall then make a recommendation to the Executive Director about the request for variance.
- (e) The Executive Director may approve the requested variance, deny the requested variance, or approve the requested variance subject to certain conditions being met.

[Source: Added at 11 Ok Reg 2947, eff 6-13-94; Amended at 12 Ok Reg 2703, eff 7-1-95; Amended at 19 Ok Reg 2498, eff 6-27-02]